

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-44 are pending in the application, with 1, 11, 21, 31, 35, 39, 43 and 44 being the independent claims. By this Amendment, Applicant seeks to amend claims 1, 3, 11, 13, 21, 23, 31, 35, and 39. Claims 2, 12, and 22 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 1-4, 8, 11-14, 21-24, 28, 31, 33-35, 37-39, and 41-44 stand rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over Shaughnessy (U.S. Patent Number 5,392,449) in view of Frost (U.S. Patent Number 4,284,848). Claims 5-6, 10, 15-16, 20, 25-26, 30, 32, 36, and 40 stand rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over Shaughnessy, in view of Frost and further in view of Tikalsky. (U.S. Patent Number 5,875,179). Claims 7, 9, 17, 27, and 29 stand rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over Shaughnessy, in view of Frost and further in view of Weismann (U.S. Patent Application Number 2002/0061763). Applicant respectfully traverses the rejections of claims 1-44.

To establish a *prima facie* case of obviousness, all of the claimed features must be taught or suggested by the references and there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, MPEP Section 2142.

Applicant respectfully submits that the various combined teachings of Shaughnessy, Frost, Tikalsky, and Weissman fail to teach or suggest the claims. In particular, the combination of references fails to teach or suggest a method comprising, *inter alia*, detecting at a switch, a presence of a first repeater coupled to the switch at a location and downloading software from the switch to the first repeater to enable the first repeater to operate and communicate with the switch and the mobile station, as recited in claim 1. Claims 11, 21, 31, 35, 39, and 43-44, recite similar features. These features are discussed, for example, in Applicant's specification in paragraphs 00205 - 00206 and are illustrated in FIG. 25A.

For example, the combination of references seems to merely teach, at best, a conventional switched network telephone system including a radio subscriber station, controlled by signaling from a central radio station, that may be configured as a terminal station. The combination of references is completely silent regarding, for example, Applicant's specifically recited technique of downloading software from the switch to the repeater to configure and operate the repeater.

Therefore, assuming *arguendo*, that one would be motivated to combine these references in the manner suggested by the Office Action, the claims would not be obvious in view of such combinations. The suggested combinations would not result in

the present claims, which recite a method comprising detecting at a switch, a presence of a first repeater coupled to the switch at a location and downloading software from the switch to the first repeater to enable the first repeater to operate and communicate with the switch and the mobile station

In view of the above arguments, it is clear that claims 1, 11, 21, 31, 35, 39 and 43-44 are not rendered obvious to one of ordinary skill in the art at the time of the invention by the suggested combinations. Therefore, claims 1, 11, 21, 31, 35, 39 and 43-44 are allowable under 35 U.S.C. § 103 as being patentable over Shaughnessy, Frost, Tikalsky, and Weissman, either alone or in the alleged combinations with one another.

Claims 2-10, 12-20, 22-30, 32-34, 36-38 and 40-42 respectively depend from claims 1, 11, 21, 31, 35, and 39. Therefore, claims 2-10, 12-20, 22-30, 32-34, 36-38 and 40-42 are also allowable at least for the reasons claims 1, 11, 21, 31, 35, and 39 are allowable, and for the specific features recited therein.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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